

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Nos. 25-2162 & 25-2357

MAHMOUD KHALIL

v.

PRESIDENT UNITED STATES OF AMERICA; DIRECTOR NEW
YORK FIELD OFFICE IMMIGRATION AND CUSTOMS
ENFORCEMENT; WARDEN ELIZABETH CONTRACT DETENTION
FACILITY; DIRECTOR UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT; SECRETARY UNITED STATES
DEPARTMENT OF HOMELAND SECURITY; SECRETARY UNITED
STATES DEPARTMENT OF STATE; and ATTORNEY GENERAL
UNITED STATES OF AMERICA,

Appellants

(D.N.J. No. 2:25-cv-01963)

Present: HARDIMAN, BIBAS, and FREEMAN, Circuit Judges

1. Appellants' Motion in No. 25-2162 to Stay the District Court's Order Pending Appeal [addressing the June 20, 2025, Order that Appellee shall be released from immigration custody]
2. Appellee's Response
3. Appellants' Reply
4. Appellants' Motion in Nos. 25-2162 and 25-2357 to Stay the District Court's July 17, 2025, Order Pending Appeal
5. Appellee's Response
6. Appellee's Motion to Dismiss No. 25-2357 for Lack of Jurisdiction
7. Appellants' Response

Respectfully,
Clerk/tmm

PER CURIAM ORDER

Appellants' motion to stay pending appeal the District Court's June 20, 2025, Order that Appellee shall be released from immigration custody is DENIED. Appellants have not demonstrated irreparable harm.

Appellee's motion to dismiss Appeal No. 25-2357 for lack of jurisdiction is referred to the merits panel pursuant to 3d Cir. I.O.P. 10.3.5.

Appellants' motion to stay pending appeal the District Court's July 17, 2025, Order is GRANTED IN PART AND DENIED IN PART. The District Court's Order is stayed only insofar as it requires Appellants to cause the Immigration Judge to consider Appellee's request for waiver of removability.

Appeal Nos. 25-2162 and 25-2357 are consolidated for all purposes, including briefing and disposition. The Court issues the following briefing schedule for the consolidated appeals:

- Appellants shall file their Brief and the parties Joint Appendix on or before August 20, 2025.
- Appellee shall file his Brief on or before September 10, 2025.
- Appellants shall file their Reply Brief, if any, on or before September 24, 2025.

The consolidated appeals will be submitted to a merits panel on October 20, 21, or 22, 2025.

The parties are expected to adhere to the briefing schedule. Extensions of time, even if limited in duration, will not be granted absent extraordinary circumstances. The parties are reminded that the deadline for filing a brief is 5:00 pm ET if the brief is submitted on the last day for filing.

Dated: July 30, 2025

TMM/JK/cc: All Counsel of Record



A True Copy:

Patricia A. Dodszeit

Patricia S. Dodszeit, Clerk